



John Fouts <icreateupwardspirals@gmail.com>

2025-09-19 - Subject: Formal Rebuttal and Demand for Correction – OEO “Closing Letter” Dated September 10, 2025

9 messages

John Fouts <icreateupwardspirals@gmail.com>

Fri, Sep 19, 2025 at 2:10 PM

To: Ellen Kilgore <ellen.kilgore@uky.edu>, KYOAG Appeals <OAGAppeals@ky.gov>, "Zimmerer, Zachary M (KYOAG)" <zachary.zimmerer@ky.gov>, ukopenrecords@uky.edu, UKOfficeofLegalCounsel@uky.edu, ukhcpr@uky.edu, UKHealthcareROI@uky.edu, UKHCMYChart@uky.edu, Office of Governor Beshear <governor.constituentservices@ky.gov>, govoffice@ky.gov, "OCRMail@HHS.gov" <ocrmail@hhs.gov>, OCRComplaint@hhs.gov, ocr@usdoj.gov, hhstips@oig.hhs.gov, ada.complaint@usdoj.gov

Bcc: press@accessnow.org, press@aclu.org, nyag.pressoffice@ag.ny.gov, press@nlg.org, press@wbez.org, press@ndrn.org, info@freedom.press, info@whistlebloweraid.org, info@aclu.org, info@ap.org, info@whistleblowerdefenseleague.org, information@my64.tv, ada.complaint@usdoj.gov, ADAProgram@uky.edu, ADA.Coordinator@ky.gov, info@ucg.org, press@ptonline.com, wvxu@wvxu.org, waifcincinnati@gmail.com, watchdog@gao.gov, kbml@ky.gov, KYOAG Appeals <OAGAppeals@ky.gov>, ky@aclu.org, KyOAGOR@ky.gov

Date: September 19, 2025

To: Ellen C. Kilgore, M.Ed.

Equal Opportunity Investigator – Athletics & Organization Specialist

University of Kentucky, Office of Equal Opportunity

Patterson Office Tower, 18th Floor

Lexington, KY 40506

ellen.kilgore@uky.edu

Subject: Formal Rebuttal and Demand for Correction – OEO “Closing Letter” Dated September 10, 2025

Ms. Kilgore,

I am writing to formally dispute and reject the so-called “closing letter” you issued on September 10, 2025.

That document is both materially incomplete and factually inaccurate. It omits critical evidence that I submitted, is missing ALL attachments and evidence, misstates the record, and fails to address multiple allegations that fall squarely under OEO jurisdiction.

For clarity, my objections include but are not limited to the following:

- **Failure to attach or consider evidence.** Your letter stands alone without any of the dozens of attachments (more than 44), supporting articles, physician letters, or medical documentation I submitted. This constitutes intentional omission of evidence and undermines any claim of a fair investigation immediately and directly.
- **Mischaracterization of ADA accommodations.** You repeatedly referred to my requirement for written communication as a “request.” It is not a request — it is an ADA-protected accommodation that you refused to properly record or enforce. ADA Accommodations are **FEDERALLY MANDATED**.

- **Failure and refusal to address documented religious discrimination.** You ridiculed and mocked my true faith-based organization, and called it a “tax gimmick,” and refused to include my RFRA-protected beliefs in the record. Your letter falsely suggests these matters were “certified” away without explanation or accountability. You also refused multiple times to identify your supervisor or to tell me what path is necessary to make a formal complaint against you, yourself.
- **Omission of medical findings.** The investigation ignores objective evidence including FDG-PET hypometabolism with patterns consistent with frontotemporal involvement, NeuroQuant atrophy (frontal parenchyma at 2nd percentile, total brain volume at 9th percentile), abnormal vascular testing (low flow at both ICA terminus and right P1–PCA), and documented severe deficiencies (copper, ferritin, B1, B2). None of this was included in your summary, despite being central to my discrimination claims.
- **Misidentification of providers.** You claimed that doctors such as Dr. Deniskin, Dr. Freilich, and Dr. Jicha were “not affiliated with UK.” This is patently false — all are UK HealthCare physicians.
- **Retaliatory and intimidating language.** Your closing paragraphs emphasize non-retaliation policy while simultaneously casting me as the potential retaliator. This inversion is discriminatory, threatening, and harassing. I submitted a complaint regarding discrimination and retaliation yet you are painting me, the victim, the target of these actions, as potentially retaliating...
- **Narrowing my allegations to a single issue.** You reframed the matter solely around stimulant dosage, when my complaint included systemic denial of ADA accommodations, defamation in the medical record (false “bone cancer” entry which is a newer finding falsification), refusal to release my and my child’s medical records which remains ongoing despite requesting them approximately one month ago - UK has not released one single record for me or my child in direct violation of KORA, and retaliation for protected activity. Regarding the stimulant dosage - a different physician wrote a letter regarding its medical necessity and a different physician wrote in support, and a third physician prescribed the larger dosage due to medical need. I will not tolerate fraudulent statements about me or placed in my record or regarding my child, and demand immediate correction of all and reopening of the investigation.

Your “closing letter” is not acceptable. It does not resolve the matter; it only magnifies and exponentially compounds the harm...it also increases the exposure and legal liability of UK.

Accordingly, I demand:

1. **Immediate correction** of the September 10 letter to include all evidence submitted and to accurately reflect my full set of allegations. I also demand for full names to be written in the report - for transparency purposes - as required.

2. **Reopening of the investigation** with oversight by an external, independent third party — not OEO staff who have already demonstrated extreme bias and extreme bad faith.
3. **Formal inclusion** of my ADA accommodations and RFRA-protected spiritual beliefs in my record as have been repeatedly denied.
4. **Disclosure** of who “Employee A” and other unnamed individuals in your letter are, as I am legally entitled to know who has handled or manipulated my record.
5. **Forwarding of this complaint** to OEO supervisors and UK General Counsel for accountability, as well as to federal oversight agencies (OCR, DOJ, and Joint Commission) for independent review.

The handling of this matter has been retaliatory, discriminatory, and contrary to both University policy (AR 6:1) and federal law (ADA, §504, RFRA, HIPAA, and related statutes).

I insist that this letter and all referenced evidence be preserved as part of the official record.

Failure or refusal to correct and reopen this investigation will further expose the University of Kentucky and its Office of Equal Opportunity to liability for further extreme bad faith, ongoing obstruction, and UK remains already complicit of ongoing retaliation which has not been denied.

Sincerely,

/s/ John R. Fouts

John R. Fouts, MBA

Son of a Vietnam-War-Era Veteran

Founder, *Upward Spirals Association* (508(c)(1)(A) Spiritual Faith-Based Organization – Protected under RFRA)

Federal SSA SSDI Recipient – Protected under ADA, VAWA, Section 504, and 1915(c)

Mainstream Voucher Holder – HUD/IHCDA/CASI Program

Email: icreateupwardspirals@gmail.com

Alternate: torchoftruth@zohomail.com

Phone (Text Only – ADA Accommodation): **502.956.0052**

Voice calls & voicemails will be ignored

Fax (HIPAA Compliant): **604.641.2805**

Evidence archive (prior to block on saving):

 <https://archive.org/details/@jfouts1979>



Address not found

Your message wasn't delivered to **ukhcpr@uky.edu** because the address couldn't be found, or is unable to receive mail.

LEARN MORE

⚠ This link will take you to a third-party site

The response from the remote server was:

550 5.4.1 Recipient address rejected: Access denied. For more information see <https://aka.ms/EXOSmtpErrors> [BL6PEPF0001AB51.namprd04.prod.outlook.com 2025-09-19T18:10:54.196Z 08DDF448AED294C7]

Final-Recipient: rfc822; ukhcpr@uky.edu

Action: failed

Status: 5.4.1

Remote-MTA: dns; [uky-edu.mail.protection.outlook.com](https://aka.ms/EXOSmtpErrors). (2a01:111:f403:f902::, the server for the domain [uky.edu](https://aka.ms/EXOSmtpErrors).)

Diagnostic-Code: smtp; 550 5.4.1 Recipient address rejected: Access denied. For more information see <https://aka.ms/EXOSmtpErrors> [BL6PEPF0001AB51.namprd04.prod.outlook.com 2025-09-19T18:10:54.196Z 08DDF448AED294C7]

Last-Attempt-Date: Fri, 19 Sep 2025 11:10:54 -0700 (PDT)

 **noname**
4K

Mail Delivery Subsystem <mailer-daemon@googlemail.com>
To: lcreateupwardspirals@gmail.com

Fri, Sep 19, 2025 at 2:10 PM



Address not found

Your message wasn't delivered to **info@whistleblowerdefenseleague.org** because the domain [whistleblowerdefenseleague.org](https://support.google.com/mail/?p=BadRcptDomain) couldn't be found. Check for typos or unnecessary spaces and try again.

[LEARN MORE](#)

The response was:

DNS Error: DNS type 'mx' lookup of [whistleblowerdefenseleague.org](https://support.google.com/mail/?p=BadRcptDomain) responded with code NXDOMAIN
Domain name not found: [whistleblowerdefenseleague.org](https://support.google.com/mail/?p=BadRcptDomain) For more information, go to <https://support.google.com/mail/?p=BadRcptDomain>

Final-Recipient: rfc822; info@whistleblowerdefenseleague.org

Action: failed

Status: 5.1.2

Diagnostic-Code: smtp; DNS Error: DNS type 'mx' lookup of [whistleblowerdefenseleague.org](https://support.google.com/mail/?p=BadRcptDomain) responded with code NXDOMAIN

Domain name not found: [whistleblowerdefenseleague.org](https://support.google.com/mail/?p=BadRcptDomain) For more information, go to <https://support.google.com/mail/?p=BadRcptDomain>

Last-Attempt-Date: Fri, 19 Sep 2025 11:10:54 -0700 (PDT)

 **noname**
4K

Mail Delivery Subsystem <mailer-daemon@googlemail.com>

To: lcreateupwardspirals@gmail.com

Fri, Sep 19, 2025 at 2:10 PM



Address not found

Your message wasn't delivered to **UKHealthcareROI@uky.edu** because the address couldn't be found, or is unable to receive mail.

LEARN MORE

▲ *This link will take you to a third-party site*

The response from the remote server was:

550 5.4.1 Recipient address rejected: Access denied. For more information see <https://aka.ms/EXOSmtpErrors> [MWH0EPF000971E4.namprd02.prod.outlook.com 2025-09-19T18:10:56.763Z 08DDF4526652B208]

Final-Recipient: rfc822; UKHealthcareROI@uky.edu

Action: failed

Status: 5.4.1

Remote-MTA: dns; [uky-edu.mail.protection.outlook.com](https://aka.ms/EXOSmtpErrors). (2a01:111:f403:c903::1, the server for the domain [uky.edu](https://aka.ms/EXOSmtpErrors).)

Diagnostic-Code: smtp; 550 5.4.1 Recipient address rejected: Access denied. For more information see <https://aka.ms/EXOSmtpErrors> [MWH0EPF000971E4.namprd02.prod.outlook.com 2025-09-19T18:10:56.763Z 08DDF4526652B208]

Last-Attempt-Date: Fri, 19 Sep 2025 11:10:56 -0700 (PDT)



noname
4K

Mail Delivery Subsystem <mailer-daemon@googlemail.com>
To: lcreateupwardspirals@gmail.com

Fri, Sep 19, 2025 at 2:11 PM



Recipient inbox full

Your message couldn't be delivered to **waifcincinnati@gmail.com**. Their inbox is full, or it's getting too much mail right now.

[LEARN MORE](#)

The response was:

552 5.2.2 The recipient's inbox is out of storage space and inactive. Please direct the recipient to <https://support.google.com/mail/?p=OverQuotaPerm> ffacd0b85a97d-3ee0741a6c8sor1862530f8f.5 - gsmtip

Final-Recipient: rfc822; waifcincinnati@gmail.com

Action: failed

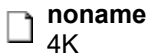
Status: 5.2.2

Diagnostic-Code: smtp; 552-5.2.2 The recipient's inbox is out of storage space and inactive. Please

552-5.2.2 direct the recipient to

552 5.2.2 <https://support.google.com/mail/?p=OverQuotaPerm> ffacd0b85a97d-3ee0741a6c8sor1862530f8f.5 - gsmtip

Last-Attempt-Date: Fri, 19 Sep 2025 11:11:01 -0700 (PDT)



noname

4K

Mail Delivery Subsystem <mailer-daemon@googlemail.com>

To: lcreateupwardspirals@gmail.com

Fri, Sep 19, 2025 at 2:11 PM



Address not found

Your message wasn't delivered to **information@my64.tv** because the domain [my64.tv](#) couldn't be found. Check for typos or unnecessary spaces and try again.

[LEARN MORE](#)

The response was:

DNS Error: DNS type 'mx' lookup of [my64.tv](#) responded with code NXDOMAIN Domain name not found: [my64.tv](#) For more information, go to <https://support.google.com/mail/?p=BadRcptDomain>

Final-Recipient: rfc822; [information@my64.tv](#)

Action: failed

Status: 5.1.2

Diagnostic-Code: smtp; DNS Error: DNS type 'mx' lookup of [my64.tv](#) responded with code NXDOMAIN

Domain name not found: [my64.tv](#) For more information, go to <https://support.google.com/mail/?p=BadRcptDomain>

Last-Attempt-Date: Fri, 19 Sep 2025 11:11:03 -0700 (PDT)

 **noname**
4K

Mail Delivery Subsystem <mailer-daemon@googlemail.com>
To: lcreateupwardspirals@gmail.com

Fri, Sep 19, 2025 at 2:11 PM



Address not found

Your message wasn't delivered to **ADAProgram@uky.edu** because the address couldn't be found, or is unable to receive mail.

LEARN MORE

⚠ This link will take you to a third-party site

The response from the remote server was:

550 5.4.1 Recipient address rejected: Access denied. For more information see <https://aka.ms/EXOSmtpErrors> [SJ1PEPF00001CE2.namprd05.prod.outlook.com 2025-09-19T18:11:07.157Z 08DDF4206530A71B]

Final-Recipient: rfc822; [ADAProgram@uky.edu](#)

Action: failed

Status: 5.4.1

Remote-MTA: dns; [uky-edu.mail.protection.outlook.com](#). (2a01:111:f403:f802::, the server for the domain [uky.edu](#).)

Diagnostic-Code: smtp; 550 5.4.1 Recipient address rejected: Access denied. For more information see

<https://aka.ms/EXOSmtpErrors> [SJ1PEPF00001CE2.namprd05.prod.outlook.com 2025-09-19T18:11:07.157Z
08DDF4206530A71B]
Last-Attempt-Date: Fri, 19 Sep 2025 11:11:07 -0700 (PDT)



postmaster@oig.hhs.gov <postmaster@oig.hhs.gov>
To: icreateupwardspirals@gmail.com

Fri, Sep 19, 2025 at 2:12 PM



Your message to hhstips@oig.hhs.gov couldn't be delivered.

oig.hhs.gov couldn't confirm that your message
was sent from a trusted location.

icreateupwardspirals

Office 365

oig.hhs.gov

Recipient

Action Required

DKIM validation error

How to Fix It

Your organization's email admin will have to diagnose and fix your domain's email settings. Please forward this message to your email admin for assistance.

More Info for Email Admins

Status code: 550 5.7.21

This error occurs when a message contains one or more passing DomainKeys Identified Mail (DKIM) signatures, but none are acceptable to the recipient domain. Please work with your domain registrar to ensure your DKIM settings are configured correctly. If your DKIM settings are correct, then contact the recipient's email admin to discuss why they're rejecting this message. Refer to Section 6.1 of RFC 6376 for more information.

Original Message Details

Created Date: 9/19/2025 6:10:41 PM

Sender Address: icreateupwardspirals@gmail.com

Recipient Address: hhstips@oig.hhs.gov

Subject: 2025-09-19 - Subject: Formal Rebuttal and Demand for
Correction – OEO "Closing Letter" Dated September 10, 2025

Error Details

Error: 550 5.7.21 ETP204 DKIM failure - 3z2XVJi-21639-10gF843105824FC9DC86c2b4afb

Message rejected by: ugw1-etp-mta-inbound-edge-prd10-09.cso.fireeye.com

Notification Details

Sent by: PH0PR09MB11551.namprd09.prod.outlook.com

Original Message Headers

ARC-Seal: i=1; a=rsa-sha256; s=arcselector10001; d=microsoft.com; cv=none;
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s=arcselector10001;
h=From:Date:Subject:Message-ID:Content-Type:MIME-Version:X-MS-Exchange-AntiSpam-MessageData-ChunkCount:X-
MS-Exchange-AntiSpam-MessageData-0:X-MS-Exchange-AntiSpam-MessageData-1;
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ARC-Authentication-Results: i=1; mx.microsoft.com 1; spf=pass (sender ip is
209.85.128.54) smtp.rcpttodomain=oig.hhs.gov smtp.mailfrom=gmail.com;
dmarc=pass (p=none sp=quarantine pct=100) action=none header.from=gmail.com;
dkim=fail (body hash did not verify) header.d=gmail.com; arc=none (0)
Received: from CY5PR09CA0004.namprd09.prod.outlook.com (2603:10b6:930:1::15)
by PH0PR09MB11551.namprd09.prod.outlook.com (2603:10b6:510:2c3::15) with
Microsoft SMTP Server (version=TLS1_2,
cipher=TLS_ECDHE_RSA_WITH_AES_256_GCM_SHA384) id 15.20.9137.17; Fri, 19 Sep
2025 18:11:00 +0000
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cipher=TLS_AES_256_GCM_SHA384) id 15.20.9137.17 via Frontend Transport; Fri,
19 Sep 2025 18:11:00 +0000
Authentication-Results: spf=pass (sender IP is 209.85.128.54)
smtp.mailfrom=gmail.com; dkim=fail (body hash did not verify)
header.d=gmail.com; dmarc=pass action=none header.from=gmail.com; compauth=pass
reason=100
Received-SPF: Pass (protection.outlook.com: domain of gmail.com designates
209.85.128.54 as permitted sender) receiver=protection.outlook.com;
client-ip=209.85.128.54; helo=mail-wm1-f54.google.com; pr=C
Received: from mta-8f063r9.email.us.etp.fireeyegov.com (15.200.32.126) by
SA2PEPF00002252.mail.protection.outlook.com (10.167.242.134) with Microsoft
SMTP Server (version=TLS1_3, cipher=TLS_AES_256_GCM_SHA384) id 15.20.9137.12
via Frontend Transport; Fri, 19 Sep 2025 18:10:59 +0000
Return-Path: icreateupwardspirals@gmail.com
Received: from [127.0.0.1] ([127.0.0.1:12656] helo=smtp-injection-worker)
by etp-prd10-04 (envelope-from icreateupwardspirals@gmail.com)
(ecelerity 4.7.0.20111 r(msys-ecelerity:tags/4.7.0-ga^0)) with ESMTPS (cipher=TLS_AES_128_GCM_
SHA256)
id 16/BA-09617-3BC9DC86; Fri, 19 Sep 2025 18:10:59 +0000
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X-FE-ETP-CONNECTING-IP: 209.85.128.54
Authentication-Results-Original: mta-8f063r9.email.us.etp.fireeyegov.com;
dmarc=pass (p=none; dis=none) header.from=gmail.com
Received: from mail-wm1-f54.google.com (mail-wm1-f54.google.com [209.85.128.54])
by etp-prd10-10 (envelope-from icreateupwardspirals@gmail.com)
FireEye ETP with ESMTPS (cipher=TLS_AES_128_GCM_SHA256)
id 3z2XVJg-21639-10g6BAB09892EAC9DC86f7ac07a; batch_id 6B/AB-09892-EAC9DC86; Fri, 19 Sep 2025
18:10:55 +0000 (UTC)

Received: by mail-wm1-f54.google.com with SMTP id 5b1f17b1804b1-45dcfecdc0fso21334005e9.1
for <hhtips@oig.hhs.gov>; Fri, 19 Sep 2025 11:10:54 -0700 (PDT)

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed;
d=gmail.com; s=20230601; t=1758305453; x=1758910253; darn=oig.hhs.gov;
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d=1e100.net; s=20230601; t=1758305453; x=1758910253;
h=mime-version:date:message-id:subject:references:to:from
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758vunsbqlADcKsdtuDGW3vufIiXT44Cc17oD9OVP0VQI03bcuJfjBMQML/vjm4ChCkf
Dq6g==

X-Forwarded-Encrypted: i=1; AJvYcCWFqsaEPTQwBMZtf31xGMDwrn5HZLN9H1fbM2YQ6I7iSqh20JX55Up6r0wjTQrbaVqkXvLgqPIW@oig.hhs.gov

X-Gm-Message-State: A0Ju0YzMYy3kNygI8lJguppvhTe09LKymhXSBT2mmBzpJsomWJ/zfZaG
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X-Gm-Gg: ASBgNct19K8yo/JP+8Faa0X4bCnMcA7l6u2ujXD7ArwGziW3AkYUckhxi406TUEd3xD
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K6J7zga/XDGYge

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From: John Fouts <createupwardspirals@gmail.com>

To: Ellen Kilgore <ellen.kilgore@uky.edu>, KYOAG Appeals
<OAGAppeals@ky.gov>, "Zimmerer, Zachary M (KYOAG)"
<zachary.zimmerer@ky.gov>, ukopenrecords@uky.edu,
UKOfficeofLegalCounsel@uky.edu, ukhcpr@uky.edu, UKHealthcareROI@uky.edu,
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References: <eabb55d42d.2e28@mailsuite.com>

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Action: failed

Status: 5.7.21

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----- Forwarded message -----

From: John Fouts <icreateupwardspirals@gmail.com>

To: Ellen Kilgore <ellen.kilgore@uky.edu>, KYOAG Appeals <OAGAppeals@ky.gov>, "Zimmerer, Zachary M (KYOAG)" <zachary.zimmerer@ky.gov>, ukopenrecords@uky.edu, UKOfficeofLegalCounsel@uky.edu, ukhcpr@uky.edu, UKHealthcareROI@uky.edu, UKHCMYChart@uky.edu, Office of Governor Beshear <governor.constituentservices@ky.gov>, govoffice@ky.gov, "OCRMail@HHS.gov" <ocrmail@hhs.gov>, OCRComplaint@hhs.gov, ocr@usdoj.gov, hhstips@oig.hhs.gov, ada.complaint@usdoj.gov

Cc:

Bcc:

Date: Fri, 19 Sep 2025 18:10:41 +0000

Subject: 2025-09-19 - Subject: Formal Rebuttal and Demand for Correction – OEO “Closing Letter” Dated September 10, 2025

CAUTION: External email. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Date: September 19, 2025

To: Ellen C. Kilgore, M.Ed.

Equal Opportunity Investigator – Athletics & Organization Specialist

University of Kentucky, Office of Equal Opportunity

Patterson Office Tower, 18th Floor

Lexington, KY 40506

ellen.kilgore@uky.edu

Subject: Formal Rebuttal and Demand for Correction – OEO “Closing Letter” Dated September 10, 2025

Ms. Kilgore,

I am writing to formally dispute and reject the so-called “closing letter” you issued on September 10, 2025.

That document is both materially incomplete and factually inaccurate. It omits critical evidence that I submitted, is missing ALL attachments and evidence, misstates the record, and fails to address multiple allegations that fall squarely under OEO jurisdiction.

For clarity, my objections include but are not limited to the following:

- **Failure to attach or consider evidence.** Your letter stands alone without any of the dozens of attachments (more than 44), supporting articles, physician letters, or medical documentation I submitted. This constitutes intentional omission of evidence and undermines any claim of a fair investigation immediately and directly.
- **Mischaracterization of ADA accommodations.** You repeatedly referred to my requirement for written communication as a “request.” It is not a request — it is an ADA-protected accommodation that you refused to properly record or enforce. ADA Accommodations are **FEDERALLY MANDATED**.
- **Failure and refusal to address documented religious discrimination.** You ridiculed and mocked my true faith-based organization, and called it a “tax gimmick,” and refused to include my RFRA-protected beliefs in the record. Your letter falsely suggests these matters were “certified” away without explanation or accountability. You also refused multiple times to identify your supervisor or to tell me what path is necessary to make a formal complaint against you, yourself.
- **Omission of medical findings.** The investigation ignores objective evidence including FDG-PET hypometabolism with patterns consistent with frontotemporal involvement, NeuroQuant atrophy (frontal parenchyma at 2nd percentile, total brain volume at 9th percentile), abnormal vascular testing (low flow at both ICA terminus and right P1–PCA), and documented severe deficiencies (copper, ferritin, B1, B2). None of this was included in your summary, despite being central to my discrimination claims.
- **Misidentification of providers.** You claimed that doctors such as Dr. Deniskin, Dr. Freilich, and Dr. Jicha were “not affiliated with UK.” This is patently false — all are UK HealthCare physicians.
- **Retaliatory and intimidating language.** Your closing paragraphs emphasize non-retaliation policy while simultaneously casting me as the potential retaliator. This inversion is discriminatory, threatening, and harassing. I submitted a complaint regarding discrimination and retaliation yet you are painting me, the victim, the target of these actions, as potentially retaliating...
- **Narrowing my allegations to a single issue.** You reframed the matter solely around stimulant dosage, when my complaint included systemic denial of ADA accommodations, defamation in the medical record (false “bone cancer” entry which is a newer finding falsification), refusal to release my and my child’s medical records which remains ongoing despite requesting them approximately one month ago - UK has not released one single record for me or my child in direct violation of KORA, and retaliation for protected activity. Regarding the stimulant dosage - a different physician wrote a letter regarding its medical necessity and a different physician wrote in support, and a third physician prescribed the larger dosage due to medical need. I will not tolerate fraudulent statements about me or placed in my record or regarding my child, and demand immediate correction of all and reopening of the investigation.

Your “closing letter” is not acceptable. It does not resolve the matter; it only magnifies and exponentially compounds the harm...it also increases the exposure and legal liability of UK.

Accordingly, I demand:

1. **Immediate correction** of the September 10 letter to include all evidence submitted and to accurately reflect my full set of allegations. I also demand for full names to be written in the report - for transparency purposes - as required.
2. **Reopening of the investigation** with oversight by an external, independent third party — not OEO staff who have already demonstrated extreme bias and extreme bad faith.
3. **Formal inclusion** of my ADA accommodations and RFRA-protected spiritual beliefs in my record as have been repeatedly denied.
4. **Disclosure** of who “Employee A” and other unnamed individuals in your letter are, as I am legally entitled to know who has handled or manipulated my record.
5. **Forwarding of this complaint** to OEO supervisors and UK General Counsel for accountability, as well as to federal oversight agencies (OCR, DOJ, and Joint Commission) for independent review.

The handling of this matter has been retaliatory, discriminatory, and contrary to both University policy (AR 6:1) and federal law (ADA, §504, RFRA, HIPAA, and related statutes).

I insist that this letter and all referenced evidence be preserved as part of the official record.

Failure or refusal to correct and reopen this investigation will further expose the University of Kentucky and its Office of Equal Opportunity to liability for further extreme bad faith, ongoing obstruction, and UK remains already complicit of ongoing retaliation which has not been denied.

Sincerely,

/s/ John R. Fouts

John R. Fouts, MBA

Son of a Vietnam-War-Era Veteran

Founder, *Upward Spirals Association* (508(c)(1)(A) Spiritual Faith-Based Organization – Protected under RFRA)

Federal SSA SSDI Recipient – Protected under ADA, VAWA, Section 504, and 1915(c)

Mainstream Voucher Holder – HUD/IHCDA/CASI Program

Email: icreateupwardspirals@gmail.com

Alternate: torchoftruth@zohomail.com

Phone (Text Only – ADA Accommodation): **502.956.0052**

Voice calls & voicemails will be ignored
Fax (HIPAA Compliant): **604.641.2805**

Evidence archive (prior to block on saving):

 <https://archive.org/details/@jfouts1979>

Mailsuite Notification <notification@mailsuite.com>

Mon, Sep 22, 2025 at 9:51 AM

Reply-To: ellen.kilgore@uky.edu, oagappeals@ky.gov, zachary.zimmerer@ky.gov, ukopenrecords@uky.edu, ukofficeoflegalcounsel@uky.edu, ukhcpr@uky.edu, ukhealthcareroi@uky.edu, ukhcmychart@uky.edu, governor.constituentservices@ky.gov, govoffice@ky.gov, ocrmail@hhs.gov, ocrcomplaint@hhs.gov, ocr@usdoj.gov, hhstips@oig.hhs.gov, ada.complaint@usdoj.gov
To: icreateupwardspirals@gmail.com

 Hot conversation: Ellen Kilgore opened it many times in a short period or forwarded it. [View all 23 opens](#) | [turn off hot conversations](#)